

Amendments to the Claims

1. (Currently Amended) A computer-implemented method for the purchase and sale of products by purchasers and sellers in a marketplace, comprising:

storing in computer storage information on a product for sale by a seller that owns the product for sale, the information including, an identification of a manufacturer of the product;

determining the product was purchased in a first sale transaction ~~between the manufacturer and~~ by a first purchaser and user;

determining the product was purchased in a second sale transaction between the first purchaser ~~and user~~ and the seller, wherein ~~the first purchaser is not also the manufacturer of the purchased product and wherein the purchased product is excess inventory~~ an unwanted product to the first purchaser ~~and user~~;

determining the product was purchased in a third sale transaction between a purchaser and the seller, wherein the seller is not also the manufacturer of the purchased product;

identifying by the computer a computer incentive program to apply to the purchased product;

calculating by the computer a manufacturer incentive to compensate solely the manufacturer of the purchased product using the identified computer incentive program; and

distributing the manufacturer incentive solely to the manufacturer, wherein the manufacturer incentive is distributed as a result of the third sale transaction, wherein the first purchaser ~~and user~~, seller and purchaser do not receive an incentive from the third sale transaction, wherein the manufacturer and a host of the marketplace have a pre-existing agreement on a number of times the purchased product may be sold to be eligible for the incentive.

2. (Original) The computer-implemented process of claim 1, wherein the incentive is a percentage of a purchase price of the purchased product.
3. (Original) The computer-implemented process of claim 1, wherein the incentive is a percentage of a profit from the sale of the product.
4. (Previously Presented) The computer-implemented process of claim 1, wherein the stored information includes a characteristic of the product, and wherein the computer incentive program is identified based, at least in part, on the characteristic of the purchased product.
5. (Previously Presented) The computer-implemented process of claim 4, wherein the characteristic is a product category.
6. (Previously Presented) The computer-implemented process of claim 4, wherein the characteristic is a product name.
7. (Previously Presented) The computer-implemented process of claim 4, wherein the characteristic is a product family.
8. (Previously Presented) The computer-implemented process of claim 4, wherein the characteristic is an identification of an equivalent product.
9. (Previously Presented) The computer-implemented process of claim 4, wherein the characteristic is a product date code.
10. (Cancelled)
11. (Previously Presented) The computer-implemented process of claim 1 further comprising storing in computer storage a plurality of computer incentive programs; and assigning a priority to each of the computer incentive programs.
12. (Previously Presented) The computer-implemented process of claim 1, the incentive is based, in part, on the third sale transaction.

13-14. (Cancelled)

15. (Currently Amended) A computer-implemented method for enabling purchasers to buy products from a contract manufacturer's excess inventory that are for sale in a marketplace, comprising:

listing in computer storage products that are for sale in a third sale transaction;

listing in computer storage a seller of the products, wherein the seller owns the products;

listing in computer storage a manufacturer of the products, wherein the manufacturer is different than the seller;

listing in computer storage the contract manufacturer of the product, wherein the contract manufacturer is different than the manufacturer;

identifying by the computer an incentive program to apply to a purchased product;
calculating by the computer a manufacturer incentive to the manufacturer of the purchased product using the identified computer incentive program; and

distributing the manufacturer incentive solely to the manufacturer, wherein the products were previously unwanted products sold by ~~the manufacturer~~ an end user to the contract manufacturer in a first sale transaction, and the products were subsequently sold by the contract manufacturer to the seller in a second sale transaction, and the manufacturer incentive is distributed as a result of the ~~third~~ second sale transaction, wherein the contract manufacturer and seller do not receive an incentive from the ~~third~~ second sale transaction, wherein the manufacturer and a host of the marketplace have a pre-existing agreement on a number of times the purchased product may be sold to be eligible for the incentive.

16. (Previously Presented) The computer-implemented process of claim 15 wherein the incentive is a percentage of a purchase price of the purchased product.

17. (Previously Presented) The computer-implemented process of claim 15 wherein the incentive is a percentage of a profit from the sale of the purchased product.

18. (Previously Presented) The computer-implemented process of claim 15 further comprising listing in computer storage a characteristic associated with each product and wherein identifying the incentive program is based at least in part on the characteristic of the purchased product.

19. (Previously Presented) The computer-implemented process of claim 18 wherein the product characteristic is a product category.

20. (Previously Presented) The computer-implemented process of claim 18 wherein the product characteristic is a product name.

21. (Previously Presented) The computer-implemented process of claim 18 wherein the product characteristic is a product family.

22. (Previously Presented) The computer-implemented process of claim 18 wherein the product characteristic is an equivalent product.

23. (Previously Presented) The computer-implemented process of claim 18 wherein the product characteristic is a product date code.

24. (Previously Presented) The computer-implemented process of claim 15 further comprising providing a plurality of computer incentive programs; and assigning a priority to each of the incentive programs.

25. (Original) The computer-implemented process of claim 24 including the step of determining by computer comparison the computer incentive program having the highest priority for calculating the incentive.

26. (Currently Amended) The computer-implemented process of claim 15, the incentive is

based, in part, on the ~~third~~ second sale transaction.

27. (Previously Presented) The computer-implemented process of claim 24 including the step of adjusting the incentive as a function of the assigned priority.

28. (Previously Presented) The computer-implemented process of claim 24 including the step of adjusting the incentive as a function of the type of transaction.

29. (Currently Amended) A computer system for tracking transactions transferring the ownership of goods between parties that are not themselves a manufacturer of the goods and calculating an incentive based on a contract between a host of a marketplace and the manufacturer, the incentive to be paid to solely to the manufacturer and no other party based on those transactions and distributing the incentive to the manufacturer, wherein the goods were previously ~~sold by the manufacturer to a first purchaser~~ purchased by a first end user in a first sale transaction, and wherein the goods were unwanted goods and subsequently sold by the first ~~purchaser~~ end user to a second purchaser in a second sale transaction, and the incentive is distributed as a result of a third sale transaction, wherein the first ~~purchaser~~ end user and second purchaser do not receive an incentive from the third sale transaction, wherein the contract specifies calculating the incentive based on a total revenue of all said unwanted goods sold by the manufacturer in the marketplace.

30. (Previously Presented) The computer system of claim 29 wherein the incentive is further based on a percentage of revenue from the third sale transaction.

31. (Original) The computer system of claim 30 wherein the percentage of revenue is calculated using a purchase price for the transaction that is set by auction.

32. (Previously Presented) The computer system of claim 29 wherein the incentive is a percentage of a profit from the third sale transaction.

33. (Original) The computer system of claim 32 in which the percentage from of the profit is calculated, in part, using a purchase price for the transaction that is set by auction.

34. (Original) The computer system of claim 29 wherein the incentive is a fixed fee.

35. (Original) The computer system of claim 29 wherein the incentive is a discount.

36. (Currently Amended) A computer program, stored on a computer readable medium, that when read by a computer, causes the computer to:

store in computer storage a listing of products that are for sale in a marketplace in a third sale transaction;

store in computer storage an identification of an owner of the products;

store in computer storage a manufacturer of the products, wherein the manufacturer is not the owner;

identify a computer incentive program to apply to a product purchased in the third sale transaction between the owner of the products and a purchaser;

calculate an incentive solely to the manufacturer of the purchased product using the identified computer incentive program; and

distribute the manufacturer incentive solely to the manufacturer wherein the products were previously sold by the manufacturer to a first purchaser purchased by a first end user in a first sale transaction, the products were unwanted goods and subsequently sold by the first purchaser end user to the owner in a second sale transaction, and the manufacturer incentive is distributed as a result of the third sale transaction, wherein the first purchaser end user, owner and the purchaser do not receive an incentive from the third sale transaction, wherein the manufacturer and a host of the marketplace have a pre-existing agreement on a number of times the purchased product may be sold to be eligible for the incentive.

37. (Previously Presented) The computer program of claim 36 wherein the incentive is calculated as a percentage of revenue from the third sale transaction.
38. (Original) The computer program of claim 36 wherein the incentive is calculated using a price set by auction.
39. (Previously Presented) The computer program of claim 36 wherein the incentive is calculated as a percentage of a profit from the third sale transaction.
40. (Original) The computer program of claim 36 wherein the computer calculation function calculates the incentive using a price set by auction.
41. (Previously Presented) The computer program of claim 36 wherein the incentive is a fixed fee.
42. (Previously Presented) The computer program of claim 36 wherein the incentive is a discount.